

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

LLOYD J. DUPUIS

CIVIL ACTION NO. 06-1248

VS.

SECTION P

WARDEN BURL CAIN

JUDGE MELANÇON

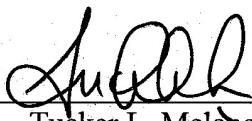
MAGISTRATE JUDGE HILL

JUDGMENT

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly,

IT IS ORDERED that the instant action is **DISMISSED WITHOUT PREJUDICE** because the instant Motion constitutes a second and successive *habeas petition* within the meaning of 28 U.S.C. §2244(b) filed without prior authorization of the United States Fifth Circuit Court of Appeals.

THUS DONE AND SIGNED, in Lafayette, Louisiana, on this 6th day of November, 2006.



Tucker L. Melançon
UNITED STATES DISTRICT JUDGE